

Court of Appeals, State of Michigan

ORDER

Bernard Wojnicki v Warren Geriatric Village Inc

Docket No. 280697

LC No. 2005-004699-NH

Deborah A. Servitto
Presiding Judge

Henry William Saad

Pat M. Donofrio
Judges

Acting under the authority of MCR 7.216(A)(10), the Court orders that the motion to dismiss is GRANTED. The lower court's August 30, 2007, opinion and order is not a final order appealable of right because it did not dispose of all the claims and adjudicate the rights and liabilities of all the parties. MCR 7.202(6)(a). Specifically, the opinion and order failed to resolve the question of damages. See *Children's Hosp v Auto Club Ins Ass'n*, 450 Mich 670, 677; 545 NW2d 592 (1996). As such, this Court lacks jurisdiction over this appeal of right. MCR 7.203(A); *McCarthy & Assoc v Washburn*, 194 Mich App 676, 680; 488 NW2d 785 (1992).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 16 2008

Date

Sandra Schultz Mengel
Chief Clerk